(G.C.P.)J 455 (5,00,000)-11.2001) Spl-H.C.,A.S.,C.D.,78e

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

Contempt Petition No.396 of 2004

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions and Registrar's order.	Court's or Judge's orders

Shri V.B.Ghorpade for the petitioner.

CORAM : R.M.S.KHANDEPARKAR, J

DATED : 5th November, 2004

P.C.

1. The grievance of the petitioner is that even though the appellate authority in exercise of powers under Section 152 of the Maharashtra State Co-operative Societies Act, 1960 has set aside the order passed under Section 35 of the said Act, the respondents have not readmitted the petitioner as member of the respondent-Society till this date. Undoubtedly, under Section 35 of the said Act, the authority had approved the termination of the membership of the petitioner in relation to the Society. The said order has been set aside under Section 152 of the said Act, however, there is no specific direction as such for re-admission

of the petitioner within the specified period. Merely because the authority or the management of the Society has not complied with its obligation under the statute, that by itself would not warrant contempt proceedings against the authority or the management of the Society. Being so, there is no case for proceeding against the respondents for contempt of Court. The Contempt Petition is therefore rejected.